

STAND. COM. REP. NO.

1487

Honolulu, Hawaii

APR 03 2023

RE: H.B. No. 1045
H.D. 1
S.D. 1

Honorable Ronald D. Kouchi
President of the Senate
Thirty-Second State Legislature
Regular Session of 2023
State of Hawaii

Sir:

Your Committee on Judiciary, to which was referred H.B. No. 1045, H.D. 1, S.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO EDUCATION,"

begs leave to report as follows:

The purpose and intent of this measure is to:

- (1) Require a minor student's parent or legal guardian, rather than the student, to produce the required student records when transferring schools;
- (2) Clarify that emancipated minors may produce the required student records when transferring schools;
- (3) Clarify that the transfer process is the same whether a transfer is within the same complex area or to another complex area; and
- (4) Exempt students eligible for assistance provided under the federal McKinney-Vento Homeless Assistance Act of 1987 from producing required student records when transferring schools.

Your Committee received testimony in support of this measure from the Department of Education.



Your Committee finds that when a student who is under the age of eighteen transfers schools, existing law requires the student to submit to the enrolling school a certificate of release obtained from the school last attended. Your Committee further finds that it is more appropriate for the parent or legal guardian of the minor student to produce and submit the certificate of release, unless the student is an emancipated minor. Your Committee also finds that under the McKinney-Vento Homeless Assistance Act of 1987, unaccompanied homeless youth are those youth who are not in the physical custody of a parent or legal guardian and experiencing unstable housing. McKinney-Vento eligible students, including unaccompanied youth, are entitled to enroll in school immediately, even if the student is lacking documents normally required for enrollment or have missed application or enrollment deadlines. This measure will clarify that a parent or legal guardian would be the appropriate person to provide a certificate of release for a minor student except in the case of an emancipated minor and those unaccompanied youth identified under the McKinney-Vento Act.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1045, H.D. 1, S.D. 1, and recommends that it pass Third Reading.

Respectfully submitted on
behalf of the members of the
Committee on Judiciary,



KARL RHOADS, Chair



